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MAR 01 2012

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket No. 06-36

Annual 64.2009(e) CPNI Certification for Midwest Telecom of America, Inc.

Date: March 1, 2012

Form 499 Filer ID: 816524

Name of signatory: James Smutniak

Title of signatory: VP

I, James Smutniak, certify that I am an Officer of Midwest Telecom of America, Inc. I hereby certify and declare I have personal knowledge that the Company has established operating procedures which ensure compliance with the FCC's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is Exhibit A, which explains operating procedures to ensure that the Company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

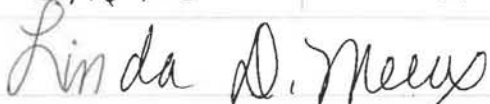
The Company has not taken any actions nor has it been a party to any proceedings instituted or petitions filed by any entity at either state commissions, the court system, or at the FCC against data brokers in the past year. The Company has no information to indicate that any pretexters have attempted to access any Customer's CPNI within the past year.

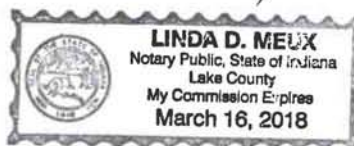
The Company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

**James S. Smutniak**, Affiant, certifies, affirms, deposes that he is the Vice President of Midwest Telecom of America, Inc., and that he is authorized to and does make this Certification for and on behalf of Midwest Telecom of America, Inc.

Signed 

Dated Feb 23, 2012

Subscribed and sworn to, before me this <u>23</u> day of <u>FEB</u> , 20 <u>12</u>		
My commission expires: <u>3/16/18</u>	State of: <u>IN</u>	County of: <u>LAKE</u>
Signature of notary: 		



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**Exhibit A**  
**Statement of CPNI Procedures and Compliance**

**Midwest Telecom of America, Inc.**  
**1567 E. 93<sup>rd</sup> Ave**  
**Merrillville, IN 46410**

As an owner and officer of Midwest Telecom of America, Inc. (MTA) I, James Smutniak, have personal knowledge that the Company has established and has adhered to operating procedures to ensure compliance with the Federal Communications Commission's (FCC) Customer Proprietary Network Information (CPNI) rules. MTA's procedures are as follows:

1. MTA exclusively serves business customers and each customer subscribes to the Company's services under a written contractual agreement. Each customer has a dedicated MTA account manager assigned to it. The dedicated account managers are all MTA employees who work in our Merrillville Indiana headquarters office. Accordingly, MTA qualifies for the business customer exemption under FCC rules. MTA has nonetheless taken measures to ensure that customer's CPNI is safeguarded and is not compromised.
2. MTA does not disseminate Customer's CPNI to any third party affiliates, agents, or for any internal sales/marketing campaigns. MTA does not conduct outbound or inbound sales and marketing campaigns that use Customer's CPNI. If ever MTA decides at a future date to conduct marketing campaigns whereby CPNI is shared with unaffiliated 3<sup>rd</sup> parties, MTA will strictly adhere to opt-in consent requirements as defined by the FCC's April 2007 order.
3. As a matter of documented company policy, any Customer requests for CPNI will not be filled by MTA in the absence of the Customer's written request on Customer's business letterhead. MTA will only deliver CPNI to the fax numbers we already have on file for the customer, or to the customer's mailing address.  
Note: Midwest Telecom of America, Inc does not serve residential customers.
4. Any Customer requests for call detail record information are referred directly to the customer's invoice. MTA already provides call record information on itemized customer invoices. If a customer claims to have lost his/her invoice and is need of replacement information, MTA will provide via US Mail, a replacement copy only to the mailing address we have on file for the customer, and only upon request delivered via customer letterhead.

5. On occasion, MTA has received requests for telephone records from individuals who request such information for law enforcement purposes. MTA will release the requested information only upon submission of a properly documented Subpoena for said information.
6. Unlike numerous other telecommunications service providers, MTA does not outsource its customer service function. All customer service is rendered under the direct supervision of the owners and officers of the Company, by account managers who are direct employees of the Company and who work at our headquarters in Merrillville, Indiana. As a result, the owners/officers of the Company have direct supervisory control and personal knowledge that MTA has established operating procedures that are adequate to ensure compliance with rules pertaining to CPNI. In addition, each MTA account manager receives on going training in order to ensure his/her compliance with the guidelines described herein.

Signed



Dated

Feb 21, 2012